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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,067	07/11/2005	Katsuhiro Kubota	Q88635	2862
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WASHINGTON, DC 20037-3213				
EXAMINER				
VORTMAN, ANATOLY				
ART UNIT		PAPER NUMBER		
2835				
MAIL DATE		DELIVERY MODE		
10/08/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/542,067

Applicant(s)

KUBOTA, KATSUHIRO

Examiner

ANATOLY VORTMAN

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2008 (RCE).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-16 is/are pending in the application.
- 4a) Of the above claim(s) 5-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application on 08/29/08 after final rejection of 05/02/08. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submissions filed on 08/04/08 and on 08/29/08 have been entered.

Specification

2. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification appears to be a literal translation from the foreign document and is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are (in reference to the substitute specification filed on 08/04/08): "Further, as other related arts, for example, there is block heat release structure for electric function portions in which heat generated in a housing room can be surely released to the outside as shown in Unexamined Japanese Patent Publication 2000-3654" (p. 2, section [08]); "cavity structure in which improvement for heat generation is

performed...and an electric connection box provided with such the fuse cavity ” (p. 6, section [34]); “In order to achieve the above object, fuse cavity structure according to the first aspect of the invention, including a fuse in which a fusible element for protecting a circuit from over current is located between terminals, and a housing in which the fuse is mounted, is provided in that a part of a wall of the housing which partitions the fuse and the fuse is removed thereby to form a notch in the wall, and space is provided between the fuses” (p. 6, section [36]); “Therefore, occurrence of such a disadvantage that heat generation from the fuse exerts a bad influence on the housing is previously prevented” (p. 6, section [37]); “Hereby, the electric connection box that is good in heat release effect is provided” (p. 7, section [41]); “Thus, the use attached to the housing can be easily pulled out from the housing” (p. 8, section [45]); “the fuse cavity structure according to the third or fourth of the present invention is applied” (p. 9, section [51]); “The first fuse 10 is different from the second fuse 20 in a form for example withstand current, shape or the like” (p. 10, section [55]); “U-shaped fusible portion 17 which electricifiably connects one flat-plane terminal” (p. 10, section [56]); “it is not easy to pull out the first fuse 10 from the block body SO by a hand” (p.11 section [58]); “Regarding states of the fusible elements 17, 27 constituting the fuses 10, 20, which are provided into the housing portions 11 a, 21 a of the insulation housings 11, 21, in order to judge at a look quickly whether the fusible elements 17, 27 are in an electrifiable connection state or whether the fusible elements 17, 27 are fused and are not in the electrifiable state, the insulation housings 11, 21 are formed of transparent or semitransparent synthetic resin material” (p. 11, section [61]); “Further, in order to readily see an electric current value to which each fuse 10, 20 corresponds and to prevent erroneous attachment of each fuse 10, 20, a colorant, for example, a yellow colorant or a red colorant is

added to the synthetic resin materials of the insulation housings 11, 21, and the insulation housings 11, 21 constituting the fuses 10, 20, such that they can be distinguished from each other" (p. 12, section [62]), etc.

Examiner would like to reiterate that the aforementioned clauses are only the examples. The specification replete with cumbersome phrases that are not clear and exact. Applicant must carefully review the entire specification in order to correct the aforementioned and other similar not mentioned problems. **Examiner would like to remind the Applicant that this is a third (!) request by Examiner to correct the specification.** It is not clear, why Applicant for the second time, is correcting only the examples cited by Examiner, when the requirements were to review and correct the entire specification.

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

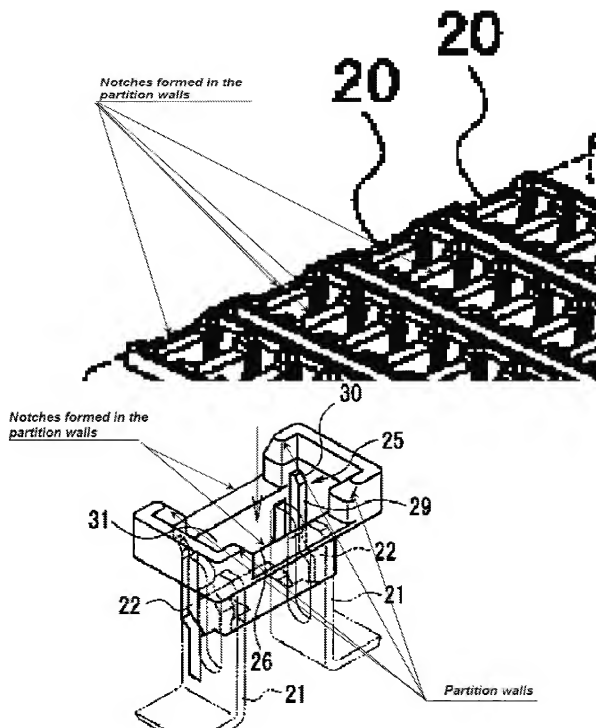
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 13-16, are rejected under 35 U.S.C. 102(b) as being **clearly** anticipated by JP/2002-124,175 to Kubota (of record).

Regarding claims 13 and 15, Katsuhiro disclosed (Fig. 1-11) a fuse cavity structure, comprising: a housing (34) provided with a plurality of fuse attachment portions (20) divided by partition walls, a large-sized fuse (50) and a small-sized fuse (10) shorter than the large-sized fuse being attachable to the fuse attachment portions, wherein each of the fuse attachment portions are adapted to accommodate the large-sized fuse or the whole small-sized fuse, such that both fuse sizes are accommodated interchangeably in each fuse attachment portion, and wherein a part of the partition wall which is opposed to a part of the small-sized fuse accommodated in the fuse attachment portion is cut as a through-hole to form a notch, the notch communicating adjacent fuse attachment portions to each other (see annotated fragments of Fig. 1 and 5 below).

Regarding claims 14 and 16, Katsuhiro disclosed (Fig. 1-11) an electric connection box comprising a fuse cavity structure (Fig. 5), the fuse cavity structure including: a housing (34) provided with a plurality of fuse attachment portions (20) divided by partition walls, a large-sized fuse (50) and a small-sized fuse (10) shorter than the large-sized fuse being attachable to the fuse attachment portions, wherein each of the fuse attachment portions are adapted to accommodate the large-sized fuse or the whole small-sized fuse, such that both fuse sizes are accommodated interchangeably in each fuse attachment portion, and wherein a part of the partition wall which is opposed to a part of the small-sized fuse accommodated in the fuse attachment portion is cut as a through-hole to form a notch, the notch communicating adjacent fuse attachment portions to each other (see annotated fragments of Fig. 1 and 5 below):



Response to Arguments

5. Regarding the objection to the specification, Examiner has clearly stated in the non-final and final Office actions that Applicant must carefully review the entire specification in order to correct the “aforementioned and other similar not mentioned problems.” However, Applicant has corrected only the examples cited by Examiner. Thus, the objection is hereby maintained. Furthermore, Applicant is required to submit a substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b).

Furthermore, arguments regarding the art rejection are moot due to the new grounds of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANATOLY VORTMAN whose telephone number is (571)272-2047. The examiner can normally be reached on Monday-Thursday, between 10:00 am and 8:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Mr. Jayprakash Gandhi can be reached on 571-272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anatoly Vortman/
Primary Examiner, Art Unit 2835